

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:07CV232
(1:04CR114)

JAMES HARVEY SMITH,)	
)	
Petitioner,)	
)	
vs.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

THIS MATTER is before the Court on the Petitioner's motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 filed June 25, 2007.

After review of the motion, the Court finds the United States should file response to the issues raised therein.

IT IS, THEREFORE, ORDERED that the United States file answer to the petition filed herein on or before 60 days from service of this Order.

Signed: January 24, 2008

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

